

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Docket No.

Applicant(s): L. A. SHERMAN, et al.

48340/55793-CPA

Serial No.  
08/812, 393Filing Date  
March 5, 1997Examiner  
Wilson, Michael C.Group Art Unit  
1632Invention:  
**RECOMBINANT CONSTRUCTS ENCODING T CELL RECEPTORS SPECIFIC FOR HUMAN  
HLA-RESTRICTED TUMOR ANTIGENS****RECEIVED**

OCT 31 2002

I hereby certify that the following correspondence:

TECH CENTER 1600/2900

**Continuation Prosecution Application (CPA) Request Transmittal (Small Entity); and all related papers enclosed herewith.***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**October 28, 2002***(Date)***Patricia A. Barnes***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL888966340US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

10-29-02

CPA/16-02 B  
#41  
SA  
10/3/02
**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL (Small Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

48340/55793-CPA

 **DUPLICATE** (Check box if applicable)

First Named Inventor

Examiner

Group/Art Unit

L. A. SHERMAN

Wilson, Michael C.

1632

Address to:

 Assistant Commissioner for Patents  
 Box CPA  
 Washington, D.C. 20231

 This is a request for filing a  continuation or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number

08/812,393

filed on March 5, 1997

and entitled:

**RECOMBINANT CONSTRUCTS ENCODING T CELL RECEPTORS SPECIFIC FOR HUMAN HLA-RESTRICTED TUMOR ANTIGENS**

1.  Enter the unentered amendment previously filed on July 1, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

 a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:

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OCT 31 2002

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 b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4.  A new power of attorney or authorization of agent is enclosed.
5.  Small Entity Status:
  - a.  A small entity statement is enclosed.
  - b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6.  The fee for this application is calculated as follows:

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
<b>Total Claims</b>	5	- 20 =	0	x \$9.00	\$0.00
<b>Indep. Claims</b>	1	- 3 =	0	x \$42.00	\$0.00
<b>Multiple Dependent Claims (check if applicable)</b>					\$0.00
				<b>BASIC FEE</b>	<b>\$370.00</b>
				<b>TOTAL FILING FEE</b>	<b>\$370.00</b>

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8.  A check in the amount of \$370.00 is enclosed.

9.  An Information Disclosure Statement (IDS) is enclosed:

- a.  PTO-1449
- b.  Copies of IDS Citations

10.  Also enclosed:

**Petition For Extension of Time Under 37 CFR 1.136(a);**  
**Check in the amount of \$200.00 - fee for two (2) months' ext. of time;**  
**Certificate of Mailing by "Express Mail" (37 CFR 1.10);**  
**Return postcard.**

The present submission is believed to be timely as of the Oct. 26, 2002 due date.

The Oct. 26, 2002 due date fell on a Saturday and this submission is being mailed on the following business day (Monday, October 28, 2002).

11.  The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated:

28 October 02



Signature

**Robert L. Buchanan**

*Typed or printed name*

**40,927**

*Registration Number (if applicable)*

Inventor(s)  
 Assignee of complete interest  
 Attorney or agent of record

CC: